

JC15 Rec'd PCT/PTO 27 MAR 2002



Docket No.: 10438-0001-6PCT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

ATTORNEYS AT LAW

GREGORY J. MAIER  
(703) 413-3000  
GMAIER@OBLON.COM

RE: Application Serial No.: 09/380,080  
Applicants: Lars PERSSON  
Filing Date: November 15, 1999  
For: HEAT EXCHANGER WITH LEAKAGE VENT  
Group Art Unit: 3743  
Examiner: ATKINSON, C.

**RECEIVED**  
MAR 27 2002  
Group 3700

SIR:

Attached hereto for filing are the following papers:

**REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT  
ATTORNEY DECLARATION  
COPY OF DATE-STAMPED FILING RECEIPT DATED APRIL 13, 2001  
COPY OF AMENDMENT W/MARKED-UP COPY  
COPY OF FEE TRANSMITTAL FORM  
COPY OF LETTER REQUESTING APPROVAL OF DRAWING CHANGES W/FIG. 4  
COPY OF NOTICE OF ABANDONMENT DATED OCTOBER 23, 2001**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

**22850**

Gregory J. Maier  
Attorney of Record  
Registration No. 25,599

10438-0001-6PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

:

Lars PERSSON

: EXAMINER: ATKINSON, C.

SERIAL NO: 09/380,080

: GROUP ART UNIT: 3743

FILED: November 15, 1999

:

TITLE: HEAT EXCHANGER WITH LEAKAGE VENT

**RECEIVED****MAR 27 2002****Group 3700**REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the Notice of Abandonment dated October 23, 2001, Applicants herewith request withdrawal of said abandonment for the following reasons.

An Office Action was mailed by the Patent and Trademark Office on February 13, 2001, with a shortened statutory period of 2 months, to expire on April 13, 2001.

Enclosed herewith is a copy of the date-stamped filing receipt evidencing filing of an Amendment of April 13, 2001 along with a Marked-up Copy, Letter Requesting Approval of Drawing Changes w/Fig 4 and a copy of the Fee Transmittal Form. In order to expedite prosecution, Applicants' Attorney is submitting a signed, certified copy of the documents indicated above.

It is believed that the above discussion and documents enclosed herewith clearly prove that the timely response to the Office Action was filed and therefore, the holding of abandonment was issued in error.

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Accordingly, it is requested the holding of abandonment be withdrawn and that prosecution be allowed to continue in the present application.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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Gregory J. Maier  
Registration No. 25,599  
Attorney of Record

Tel: (703) 413-3000  
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GJM//dgh



**22850**

10438-0001-6PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

: ATTN:

Lars PERSSON

: EXAMINER: ATKINSON, C.

SERIAL NO.: 09/380,080

: GROUP ART UNIT: 3743

FILED: November 15, 1999

TITLE: HEAT EXCHANGER WITH LEAKAGE VENT

**RECEIVED**  
MAR 27 2002  
Group 3700ATTORNEY DECLARATIONASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

I, Gregory J. Maier, attorney of record in the above-identified application, declare the attached to be true and accurate copy of the Amendment filed on April 13, 2001.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: \_\_\_\_\_

\_\_\_\_\_  
Gregory J. Maier  
Registration No. 25,599  
Attorney of Record(703) 413-3000  
GJM/dgh**22850**


**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

09/380, USU

11/15/99

PERSSON

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10428-0601-6 F

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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 OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT  
1755 JEFFERSON DAVIS HIGHWAY  
FOURTH FLOOR  
ARLINGTON VA 22202

ATKINSON, C

EXAMINER

3743

ART UNIT

PAPER NUMBER

10/23/01

DATE MAILED:

 Pet. to W/D Aband.  
12-23-01

**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper response to the Office letter mailed on 2/13/01.
- ☐ A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.
- (A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)
- ☒ No response has been received.
- ☐ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
- ☐ The submitted issue fee of \$ \_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_.
- ☐ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) received on \_\_\_\_\_.
- ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

**RECEIVED**

OCT 24 2001

 OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.

 CHRISTOPHER ATKINSON  
PRIMARY EXAMINER

Attachment for PTO-948 (Rev. 03/01, or earlier)

6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a)

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.